

## Procedures For Appointing Citizens To Boards

1. The City Clerk shall administratively publicize vacancies on boards, committees and commissions in advance of terms expiring to ensure appointment by Council prior to the termination date of the term.
  2. The City Clerk shall establish a cutoff date (usually a 30 day period) and if an unqualified number of applications are received and/or unqualified number of applications received due to the residency requirements, then the City Clerk will administratively re-publicize for the additional time period, prior to beginning an agenda item to the assigned committee.
  3. In addition to the publicizing procedures, the City Clerk shall administratively solicit interested citizens through professional organizations when appropriate.
  4. After receipt of a resignation (within six months) or if an appointee cannot be contacted or does not come in to be sworn in – then the City Clerk shall submit to the appropriate committee the same applicants (previously submitted) for a new appointee/appointments.
  5. When a term with six months or less remaining is filled, then at the expiration date of the term the name of the appointee will be submitted to the appropriate committee for nomination for reappointment, and/or publicizing of vacancy.
  6. The City Clerk has been authorized to administratively disqualify applications which do not meet the required “publicized vacancy” on various boards, commissions, and committees, i.e. residency, minority, non-minority, and category requirements.
  7. Citizens will be required to sign a commitment of service when appointed to various boards, committees or commissions.
  8. Boards, committees and commissions (staff representative) shall submit to the City Clerk’s Office a one-year attendance report covering the fiscal year July to June and calendar year January to December; and in turn the City Clerk will compile these reports into an agenda item for submission to the Council.
  9. The City Clerk has been authorized to verify property tax status for applicants to boards, committees and commissions. Property taxes must be current. County and City taxes must not reflect any delinquencies before an application is submitted. For persons appointed to the Board of Adjustment and Durham Planning Commission, property taxes must remain non-delinquent. If the member’s taxes become delinquent during the term of the appointment, the member shall be allowed up to 30 days to bring the taxes current.
  10. Persons applying for appointment to a Board, Committee or Commission shall be in compliance with all codes, ordinances and regulations that the particular board, committee or commission enforces. The City Council shall not consider the application if the person fails to comply with the provision.
- Members of boards, committees or commission shall be in compliance with all codes, ordinances and regulations enforced by their particular board, committee or commission. The City Council may remove a member from his or her board, committee or commission for failure to comply with the provision.
11. Citizens may serve only two consecutive terms on boards, committees or commissions except for members of the Design District Review Team and the Raleigh-Durham Airport

Authority who are subject to serving three consecutive terms.

#### 12a. Mayoral Appointments to Certain Boards and Commissions

The Mayor shall be entitled to make a recommendation for Council approval for one citizen appointment to each of the boards and commissions listed below and to other boards or commissions that the Mayor may add to this list from time to time as described in (b) below. These appointments, although subject to approval by the City Council, shall be termed "Mayor's appointee(s)" in these procedures. Only one Mayor's appointee shall serve at any one time on a board or commission.

- Durham Board of Adjustment
- Convention and Visitors Bureau Board of Directors
- Durham Housing Authority
- Housing Appeals Board
- Passenger Vehicle for Hire Commission
- Durham Convention Center Authority
- Raleigh-Durham Airport Authority
- Durham Area Transit Authority
- Recreation Advisory Commission
- Durham Historic Preservation Committee
- Human Relations Commission
- Workforce Development Board
- Durham Open Space and Trails Commission
- Durham Youth Commission

#### b. Additions to List

Should the Mayor wish to make appointments to boards or commissions not listed above, the Mayor shall inform the City Clerk in writing. Boards and commissions may be added to the list above if they include more than one City Council appointee, and such appointments generally occur at least every two years.

#### c. Process of Appointment and Reappointment

The City Clerk shall inform the Mayor and the City Council of the expiration of the term of a current Mayor's appointee, and of the availability of a vacancy on a board or commission listed in 12(a) above on which a Mayor's appointee does not currently serve. The Mayor shall have 25 days from the date of the expiring term of the Mayor's appointee or of a new vacancy proposed to be filled by a Mayor's appointee to nominate a person, either an incumbent or a new nominee, for consideration by the City Council for the position. The Mayor may decline at any time to make a nomination. If the Mayor does not make a nomination, or in the event the Council does not approve the nominee, applicants shall be sought using the Council's normal recruitment process.

#### d. Length of Term and Term Limits

The term of the Mayor's appointee shall correspond to the term established by law or ordinance, inter-local agreement, or other controlling authority for the board or commission. In addition, the number of consecutive terms which may be served by the Mayor's appointee shall be as otherwise provided for all appointees to the board or commission. If there are no limits established by law, ordinance, inter-local agreement, or other controlling authority, then, notwithstanding any limitation that may exist for Council appointees to boards and commissions, the Mayor's appointee may be nominated for, and reappointed for, an unlimited number of terms. If the Mayor's appointee for a

particular board has exceeded two terms, the Council shall be informed of such at the time of voting on the appointment.

(Note to Paragraph d: The following are the boards from the list in (a) above that, as of April 1, 2008 do not have limitations on number of terms that can be served:

- Convention and Visitors Bureau Board of Directors (two-year term)
- Durham Housing Authority (five-year term)
- Housing Appeals Board (three-year term)
- Passenger Vehicles for Hire Commission (three-year term)
- RDU Airport Authority (two-year term)
- Human Relations Commission (three-year term)
- Workforce Development Board (two-year term)
- Durham Youth Commission (one-year term)

e. Modification by City Clerk

The City Clerk, after consultation with the City Attorney, shall be authorized to administratively modify the lists in Paragraphs 12(a) and 12(d) above to reflect boards and commissions newly identified by the Mayor as additions to 12(a), and to reflect changes in law, ordinance, inter-local agreements, and other controlling authority that may alter the list in note 12(d) above. Notice of any such changes shall be given in writing to all Council members.

13. Citizens must serve one full term before they are eligible to apply to any other board, committee or commission, except in unusual circumstances.

14. Appointments of citizens to advisory boards, committees and commission shall be representative of the race and sex of the population of Durham when possible.

15. Citizens may serve on only one board, committee or commission (as a City Council Appointee).

16. Citizens appointed should be residents of the City of Durham except for those committees where there is a county residency designation.

17. Applications for boards, committees and commissions, which have requirements for special areas of knowledge, should be considered in that light.

18. The City Clerk notifies appointees whose terms are expiring so that they may re-apply, if eligible and willing to serve.

19. The City Council expects all its appointees to boards, committees and commissions to attend all regularly scheduled board meetings.

20. Members of a board, committee or commission shall attend at least 50 percent of the meetings in a given 12-month period. It shall be the policy of the City Council to remove that appointee in the absence of his/her showing good cause, and to make another appointment. This paragraph shall not apply to members of the Human Relations Commission, who are subject to the attendance requirements of Section 34-108(e) of the City Code or boards, committees and commissions that have their attendance requirements addressed through by-laws or inter-local agreement.

21. The City Clerk shall inform all board, committee or commission appointees of this

attendance policy.

22. When an attendance report submitted to Council shows that a member of a board has not complied with the attendance policy, the City Clerk shall notify the chair of the board in writing regarding the member's lack of attendance. Further, when the subsequent attendance report submitted to Council shows that same member of the board has not complied with the attendance policy, the City Clerk shall notify the board member in writing that such member has been removed from the board.

23. It is the City Council's policy not to appoint City employees to any board, committee, or commission.

24. All boards, committees and commissions will submit a written report (concise) in review of the 12 months to the Council in January of each year consisting of the following components:

- a) what was done that made a difference;
- b) the proposed plans and objectives for the upcoming 12-month period; and
- c) what type of resources (if any) may be needed in pursuing upcoming plans and goals, so that we are better able to anticipate future needs.
- d) Annual Attendance Report of attendees.

25. All boards, committees and commissions will keep minutes of meetings and furnish to the City Clerk a copy of the approved minutes within 15 days after the next meeting of the body.

Revised by Council on November 2, 1998  
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